

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JAKUB MADEJ,

Plaintiff,

vs.

SYNCHRONY FINANCIAL,

Defendant.

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:
: Civil Action No.: 1:21-cv-01894-WFK-SJB
:
:

: **DECLARATION OF**
: **AMY SECTER, ESQ. IN SUPPORT OF**
: **DEFENDANT'S OPPOSITION TO**
: **PLAINTIFF'S MOTION FOR DEFAULT**
: **JUDGEMENT.**
:
:
:

I, Amy Sector, declare as follows:

1. I am an attorney-at-law in the State of New York and an associate with the law firm of Reed Smith LLP, counsel to Defendant Synchrony Bank, improperly named as Synchrony Financial ("Defendant" or "Synchrony"). As such, I am fully familiar with the facts herein. I make this declaration and certification in support of Defendant's Opposition to Plaintiff's Motion for Default judgment.

2. On June 1, 2021, Synchrony retained Reed Smith LLP to represent it in this matter.

3. On June 3, 2021 and June 4, 2021, counsel for Synchrony and myself contacted Plaintiff to discuss his Motion for Default Judgment and his Affidavit of Service. *See* ECF 11-12.

4. During discussions with Plaintiff, Plaintiff was informed that service was not properly effectuated on Synchrony. Specifically, Plaintiff was informed that his attempted service was rejected by The Corporation Trust Company, the entity he purported to service on behalf of Synchrony Financial as detailed in his Affidavit of Service.

5. Furthermore, Plaintiff was informed that his method of service was improper under Federal Rules and State Law. *See* Fed. R. Civ. 4(h)(1) and N.Y.C.P.L.R. 312-a.

6. As such, Synchrony requested that he withdraw his Motion for Default Judgment, as service was not properly completed.

7. Despite being informed service was not proper, and acknowledging that he received rejection letters related to his attempted service, Plaintiff refused to withdraw his Motion for Default Judgment.

8. Synchrony was then required to file the instant opposition.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 9th day of July, 2021, at Richmond, Virginia.



AMY SECTER